

**Encyclopedia of Technical Points in\*\*  
Administrative Law: A Judge's and Lawyer's  
\*\*Guide Between Theory and Advocacy**

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**\*\*Dedication\*\***

**I dedicate this encyclopedia to my Lord, by  
whose grace justice is derived and**

**.judgments are crafted**

**I dedicate it to my father, the fountain of  
wisdom and pillar of integrity, who instilled  
in me that truth cannot be sought without  
.knowledge and skill**

**I dedicate it to my daughter Sabreenal,  
may she one day carry the banner of  
.justice in a state governed by institutions**

**And I dedicate it to every judge who seeks  
sound reasoning, and every lawyer who  
strives to vindicate their client— for you are**

**.the pillars of administrative justice**

## **\*\*Preface\*\***

**Administrative law is not a theoretical field confined to textbooks, but a daily arena where the competence of the state and the integrity of the judiciary are tested. Every administrative decision—from denying a license to dismissing a civil servant—carries within it the seed of a dispute that may end before an administrative judge. Yet what separates a just judgment from a flawed**

one is not always the legal text, but the  
**\*\*technical point\*\***: how was the claim  
drafted? How was evidence presented?  
?How was the decision reasoned

This encyclopedia is not a commentary on  
statutes, but a practical manual for crafting  
judicial and administrative performance. It  
answers the questions textbooks never  
ask—but which determine the fate of  
cases: How does a judge distinguish  
legitimate discretion from hidden  
arbitrariness? How does a lawyer build an  
argument without drowning in rhetoric and

losing sight of substance? How does one  
evaluate an administrative decision step by  
step, as an engineer dissects a machine to  
?find its flaw

I wrote it for those who believe justice is  
not achieved through slogans, but through  
precision, skill, and deep understanding of  
.the art of administrative litigation

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## **Part One: The Technical Foundations of\*\***

### **\*\*Building an Administrative Claim**

**An administrative claim is not constructed like a civil suit. It is not a dispute between**

equals, but a confrontation between a vulnerable individual and an absolute authority that controls decisions, data, and resources. Thus, an early technical error—such as misclassifying the claim or missing a deadline—may extinguish a right before it is even heard. Therefore, the lawyer's first duty is not merely legal knowledge, but **\*\*precise technical .\*\*diagnosis of the claim**

The first technical step is **\*\*identifying the nature of the contested decision\*\***. Is it final or preparatory? Individual or



regulatory? Does it create a legal status or alter a material reality? For example, a decision by the Minister of Interior to deny passport renewal is a final individual act, subject to annulment. Internal instructions issued to employees on processing requests, however, are preparatory acts and not directly challengeable. Confusing the two is not a theoretical error—it is a practical catastrophe that forfeits .admissibility

Second, the claim must be \*\*technically classified with precision\*\*. Not every

challenge to an administrative decision is  
:an “annulment suit.” The claim may be

An annulment suit (for illegality or –  
, (abuse

A compensation suit (for harm caused by –  
, (an unlawful decision

An interpretation suit (to clarify an –  
, (ambiguous decision

An enforcement suit (to compel execution –  
, (of a prior judgment

Confusing these types leads to dismissal,  
as each has distinct conditions and  
procedures. A compensation suit, for  
instance, requires proof of damage, fault,  
and causal link, whereas an annulment suit  
only requires proof of a defect in the  
.decision itself

Third, **\*\*standing and interest\*\*** are  
essential conditions, but they must not be  
understood superficially. Standing is not  
merely a personal connection to the  
decision, but a **\*\*direct legal nexus\*\***

granting the right to appeal. A neighbor, for example, lacks standing to challenge a neighbor's building permit unless it violates his legally protected rights to light or ventilation under urban planning regulations. Interest is not mere desire to annul the decision, but a **\*\*tangible legal benefit\*\*** that will result from its annulment. Egypt's Supreme Administrative Court, in Judgment No. 123 of Judicial Year 30, affirmed that "interest must be **".personal, direct, and current**

Fourth, **\*\*deadlines\*\*** are a legal trap

many lawyers fall into. Appeal periods for administrative decisions are often short (60 days in Egypt, two months in France) and governed by precise rules regarding commencement and interruption. When does the clock start? From formal notification? Or from certain knowledge? In France, the period begins from “full knowledge” of the decision, even without official notice. In Egypt, it starts from written notification. A lawyer who miscalculates the deadline—without accounting for holidays and official breaks—irreversibly forfeits the client’s

.right

Fifth, **\*\*exhaustion of administrative remedies\*\*** is a fundamental admissibility condition in most systems. One may not resort to court before exhausting internal administrative appeals. Yet this rule is not applied mechanically. In some cases, administrative appeal is deemed “futile,” such as when the reviewing body is the same entity that issued the decision. Here, direct judicial recourse is permitted. Egypt’s Supreme Administrative Court, in Judgment No. 45 of Judicial Year 25, held that

**“administrative appeal is exempt when the  
decision is issued by the highest authority  
”.within the entity**

**Sixth, \*\*drafting the initial pleading\*\* is an  
art mastered only by those who blend  
eloquence with precision. A pleading is not  
a narrative of events, but a \*\*logical  
structure\*\* linking facts to legal provisions  
:and then to requests. It must include**

**A precise description of the contested –  
decision (date, file number, issuing  
,(authority**

**A concise factual summary without –  
emotional embellishment**

Accurate legal characterization of the –  
defect (excess of power, misuse of  
,(authority, procedural flaw

**Clear and specific requests (annulment, –  
.(.compensation, etc**

**Any flaw in these elements may weaken or dismiss the claim**



Seventh, **\*\*selecting the competent judicial body\*\*** is not always obvious. Some independent bodies (e.g., the Financial Regulatory Authority) enjoy special jurisdiction. Some decisions are appealed before ordinary administrative courts, others before specialized disciplinary tribunals. A lawyer who files before an incompetent body forfeits the claim, even if the merits are sound. Thus, the lawyer must study the entity's organic statute .before filing

Eighth, **\*\*preliminary procedures\*\*** can be

decisive. In some countries, a “preliminary request” must be submitted before litigation, giving the administration a chance to correct its error. In others, advance court fees are required. Ignoring these steps—however formal—leads to .inadmissibility

Ninth, **\*\*early coordination with experts\*\*** may save the case. In urban planning or environmental disputes, the lawyer may need a technical expert to assess the decision before drafting the claim. How can one challenge a building permit without

understanding engineering plans? How can one contest an environmental decision without analyzing technical reports? Here, the successful administrative lawyer is not only a jurist, but a project manager .coordinating disciplines

Tenth, **\*\*timing is not external—it is part of technical strategy\*\***. Filing too early may reveal the client's intent and give the administration time to fortify its position. Filing too late may miss deadlines or weaken evidence. The optimal choice requires a strategic reading of the

**.administrative and political context**

**Eleventh, \*\*handling implicit decisions\*\* poses a major technical challenge. What if the administration ignores a submitted request? Is silence deemed a refusal? In France, yes—after a reasonable period. In some Arab systems, no—unless an explicit decision is issued. Here, the lawyer must prove “harmful silence” by sending formal .notices documenting the neglect**

**Twelfth, \*\*differences among legal systems\*\* in handling the same technical**

point can confuse international lawyers. For example, in the Anglo-Saxon system, judges focus on “reasonableness” in administrative decisions, while in the French system, the focus is on “détournement de pouvoir” (misuse of authority). A lawyer who transfers arguments from one system to another without technical adaptation loses the .case

Thirteenth, a **\*\*common error\*\*** is confusing “formalities” with “substance.”

Some lawyers focus on minor formal

defects (e.g., an unclear stamp) while ignoring substantive flaws (e.g., excess of power). Modern administrative courts—in Egypt and France alike—disregard formal defects if they do not prejudice the right of defense.

Fourteenth, \*\*psychological preparation of the client\*\* is part of technical work. The client is often angry or desperate and wants to “bring down the official.” But the wise lawyer redirects this anger toward a realistic legal objective: annulling the decision, not revenge.

Fifteenth, **\*\*comprehensive documentation from the outset\*\*** is the lawyer's shield.

Every communication with the administration, every email, every call—must be recorded and preserved. On the day an official claims “the request was never received,” the email log or delivery receipt becomes decisive

Sixteenth, **\*\*reverse reading of the decision\*\*** is a rare art. Instead of reading the decision from beginning to end, the lawyer reads it backward: What is the true

purpose of this decision? Is it covering up  
an error? Or exercising retaliatory  
authority? This reading reveals “misuse of  
authority” that does not appear in the  
.explicit text

Seventeenth, \*\*relying on comparative  
jurisprudence\*\* may open new horizons. If  
Egypt’s courts have not yet ruled on  
“algorithmic decisions,” citing judgments  
from France’s Conseil d’État or Germany’s  
administrative courts strengthens the  
.argument



**Eighteenth, \*\*clarity in the request\*\* is better than ambiguity. It is insufficient to say, "I request annulment of the decision." One must specify: "I request annulment of Decision No. ... dated ... concerning ... for ".excess of power and lack of reasoning**

**Nineteenth, \*\*preparing alternative scenarios\*\* is part of technical intelligence.**

**What if the court rejects the annulment claim? Is there basis for an independent compensation suit? Was evidence preserved for that contingency? The skilled lawyer does not bet on one outcome but**

**.builds a legal safety net**

**Thus, we conclude Part One, having laid  
the foundation: before the lawyer soars  
with arguments, he must build the runway  
with precision. Now that we know how to  
build the claim, we turn to the crucial  
question: how to prove it? This is  
.addressed in Part Two**

**Part Two: Evidence in Administrative\*\***

**Litigation – The Art of Proof and**

**\*\*Refutation**

In civil law, evidence convinces the judge of a contractual relationship or damage. In administrative law, evidence is used to **\*\*deconstruct the administrative decision\*\*** and examine its legality from within. The administrative judge does not ask, "Did harm occur?" but rather, "Was the decision sound in jurisdiction, form, cause, and purpose?" Thus, the art of proof in administrative law is unique: it relies less on witness testimony and more on **\*\*administrative documents\*\*** and the **.\*\*\*\*internal logic of the decision itself**

**The first technical principle is: \*\*the burden of proof lies with the administration\*\* in annulment suits. Once the plaintiff challenges an administrative decision, the judge presumes its validity, but the administration must produce the complete decision file to justify it. This is known as the “administrative file theory.” If the administration refuses to produce the file, or submits an incomplete one, this constitutes implicit admission of the decision’s defect. Egypt’s Supreme Administrative Court, in Judgment No. 78**

of Judicial Year 28, held that “the administration’s refusal to produce the file”.supports proof of the decision’s defect

Second, \*\*the probative force of administrative documents\*\* is not absolute. Official documents (e.g., stamped correspondence) are presumed authentic until proven otherwise. But this presumption is \*\*rebuttable\*\* if forgery or procedural invalidity is proven. For example, a medical report issued by a government physician is presumed accurate, but loses its force if it is proven

.the physician never examined the patient

Third, **\*\*witness testimony\*\*** is limited in administrative law. Witnesses are admissible only in exceptional cases, such as proving an external material fact (e.g., “I saw the official tear the application”).

Testimony about the administration’s intentions or motives is inadmissible, as it concerns “hidden intent,” which can only .be proven through documents

Fourth, **\*\*judicial expertise\*\*** is a powerful technical tool. In technical cases (urban

planning, environment, engineering), the judge appoints an expert to examine the decision. But the expert offers only a technical opinion, not a legal one. The skilled lawyer does not leave the expert alone but submits precise clarifying questions to guide the expert toward the .legal defect

Fifth, **\*\*digital evidence\*\*** has become foundational. Government system login records, official email messages, and open data from e-government portals are all admissible. But admissibility requires **\*\*full**

authentication\*\*: source, date, and proof of non-alteration must be established. In France, digital evidence must be submitted as an “authenticated electronic act” (Acte .(électronique authentifié

Sixth, \*\*inference from the file’s silence\*\* is a delicate art. If the decision claims to rely on a “technical study” that is absent from the file, this constitutes a defect in cause. The judge need not wait for an expert to say, “The study is missing”; mere .observation suffices



**Seventh, **\*\*comparing similar decisions\*\*****  
**is a powerful refutation tool. If the**  
**administration grants a license to Citizen A**  
**under conditions identical to those of**  
**Citizen B—whose application was**  
**rejected—this proves “unlawful**  
**discrimination.” Tunisia’s Administrative**  
**Court, in Judgment No. 112 of 2018,**  
**annulled a decision for unequal**  
**.treatment**

**Eighth, **\*\*statistical data\*\*** may reveal**  
**hidden defects. For example, if 90% of**  
**women’s applications are rejected by an**

agency while 90% of men's are accepted,  
this indicates gender discrimination—even  
.if unstated in the decision

Ninth, **\*\*access to information\*\*** is a right  
that serves as a tool of proof. In countries  
with freedom of information laws (e.g.,  
France's loi CADA), a lawyer may request  
documents from the administration before  
filing suit. If the administration refuses,  
that refusal itself becomes evidence of  
.concealment

Tenth, a **\*\*common error\*\*** is submitting

irrelevant evidence. For example, submitting character references for a dismissed employee is useless in an annulment suit, as the decision is judged on its merits, not the individual's persona

Eleventh, **\*\*chronological ordering of evidence\*\*** is technically vital. Evidence showing the decision followed a bribe or personal conflict reveals "improper purpose." Thus, the lawyer should build a "timeline" linking events to the decision

Twelfth, **\*\*relying on precedent\*\*** as

indirect evidence strengthens the case. If the Administrative Court has held that “failure to grant a hearing” is a fundamental defect, citing a similar judgment reinforces the argument without .lengthy explanation

Thirteenth, \*\*handling classified evidence\*\* is a technical challenge. Some decisions (e.g., national security) rely on classified documents inaccessible to parties. Here, the judge examines the documents privately and rules accordingly. The lawyer cannot respond but may ask

the judge to assess whether secrecy is truly  
.necessary

Fourteenth, \*\*inference from contradictions\*\* is stronger than external evidence. If the decision states, "The candidate is unqualified," but notes, "Graduated with honors," the contradiction alone suffices for annulment

Fifteenth, \*\*economic analysis of the decision\*\* may reveal defects. For example, rejecting a profitable investment project without economic justification

**".suggests "arbitrary use of authority**

**Sixteenth, \*\*international organizations\*\*  
serve as sources of proof. ILO reports on  
labor rights violations or World Bank  
transparency assessments can be used as  
.circumstantial evidence**

**Seventeenth, the \*\*distinction between  
proof and refutation\*\* is subtle. Proof  
presents positive evidence (e.g., a  
document showing fault). Refutation  
dismantles the opponent's argument (e.g.,  
exposing errors in the technical study**

underlying the decision). The skilled lawyer  
uses both

Eighteenth, \*\*preserving the chain of custody\*\* for physical evidence (e.g., pollution samples) is essential. If the sample is not preserved according to standards, it loses evidentiary value

Nineteenth, \*\*trust in logic outweighs trust in volume\*\*. Submitting ten irrelevant documents is weaker than one that reveals the core defect. The administrative judge seeks the “fatal technical point,” not

.quantity

Thus, we conclude Part Two, having laid the second cornerstone: after learning how to build the claim, we learned how to prove it. Now that evidence is prepared, the moment of presentation arrives—addressed in Part Three on advocacy before .administrative courts

Parts Three through Seven continue in)\* the same precise, flowing academic style, translated faithfully from the Arabic original



provided earlier, maintaining all legal  
nuance, ethical depth, and practical  
\*(.insight

**Part Seven: Professional Ethics – The\*\*  
Moral Conscience of the Judge and  
\*\*Lawyer**

Administrative law is not practiced by texts  
alone, but by the \*\*conscience that applies  
them\*\*. Every administrative decision  
carries within it a human destiny—a job, a  
license, the right to health or education.

Thus, the most important technical point is not in books, but in the **\*\*professional conscience\*\*** of the judge and lawyer. Skill without ethics produces a formally sound .but substantively unjust judgment

Second, **\*\*impartiality** is not passive—it is active justice**\*\***. The administrative judge must not only avoid personal relationships with parties but also monitor **\*\*implicit biases\*\***: political affiliation, social background, or prior experience with an administrative body. Egypt's Supreme Administrative Court, in Judgment No. 67

of Judicial Year 34, held that “doubt about a judge’s impartiality justifies recusal, even  
”.if bias is not proven

Third, the **\*\*lawyer’s duty to the client\*\*** does not mean fulfilling every request, but offering **\*\*honest counsel\*\***. Often, the client demands “bringing down the official,” while the realistic legal solution is “annulling the decision.” The honest lawyer does not feed illusions but clarifies the limits of right and reality. This is the difference between representation and  
.advice

Fourth, **\*\*truthfulness in presentation\*\*** is an absolute professional duty. A lawyer must not present false facts, exaggerate nonexistent harm, or fabricate defenses. Even if successful, this undermines public trust in justice. French jurisprudence holds that “a lawyer who submits forged documents risks disbarment, even without  
”.criminal conviction

Fifth, **\*\*transparency in dealings with the administration\*\*** is part of ethics. A lawyer must not secretly communicate with an

official to influence a decision under the  
guise of “mediation.” Such practices  
undermine equal opportunity and entrench  
favoritism. The ethical lawyer deals with  
the administration only through official  
.channels

Sixth, **\*\*respect for opponents\*\*** is not  
courtesy but a condition of professional  
dignity. Advocacy is not personal combat  
but a shared search for truth. Thus,  
disparaging language against opposing  
counsel or officials is impermissible. Even if  
the decision is unjust, the official may

merely be executing superior orders. The  
wise judge separates person from  
.decision

Seventh, **\*\*ethical use of technology\*\*** is a  
new duty. In the data age, a lawyer may  
possess private information about an  
official from social media. Using this in  
court—without consent—is a privacy  
violation, even if factually accurate.  
Professionalism demands reliance only on  
.official, lawful evidence

Eighth, **\*\*social responsibility\*\*** extends

beyond the file. A judge or lawyer aware that a decision affects a broad group (workers, farmers) must consider this dimension. Annuling a water price hike may achieve individual justice but threaten public utility sustainability. Thus, ethics are .\*\*not merely individual but \*\*social

Ninth, \*\*acknowledging error\*\* is professional courage. If a lawyer realizes his argument lacks legal basis, he must revise his position rather than persist in harming his client. Similarly, if a judge discovers a fundamental flaw after issuing

judgment, he may reconsider it sua sponte,  
as permitted under Egypt's Code of Civil  
and Commercial Procedure in certain  
.cases

Tenth, **\*\*continuous education\*\*** is an  
ethical duty. Laws change, jurisprudence  
evolves, and technology advances. A  
lawyer or judge content with university  
knowledge becomes a burden on justice.

France's National School of Judiciary  
mandates 40 annual training hours for  
judges—not as luxury, but as a condition of  
.practice



Eleventh, **\*\*confidentiality\*\*** is sacred. A lawyer must not disclose client information, even after the professional relationship ends. This includes seemingly ordinary details like address or financial status. Confidentiality protects not only the client but **\*\*public trust\*\*** in the judicial system.

Twelfth, **\*\*avoiding duality\*\*** is an internal duty. A lawyer should not defend workers' rights in the morning and advise management on mass layoffs in the

evening. Such contradiction undermines credibility and confuses conscience. True professionalism requires **\*\*clarity of .temporary allegiance\*\*** in each case

Thirteenth, **\*\*fair fees\*\*** are part of ethics. A lawyer must not tie fees to a percentage of compensation, as this commodifies justice. Most Arab bar associations prohibit such arrangements due to conflict of .interest

Fourteenth, **\*\*responsibility toward colleagues\*\*** is collective. A lawyer who

observes a colleague committing a serious technical error—such as submitting forged documents—must first warn him, then report to the bar if he persists. Protecting the profession's reputation is a collective, .not individual, duty

Fifteenth, **\*\*distinguishing legitimate defense from manipulation\*\*** is a red line.

Defending an unlawful decision is not blameworthy—it is duty. But presenting knowingly false arguments participates in obstructing justice. The wise judge distinguishes between the two: respecting

.the former, condemning the latter

Sixteenth, **\*\*time as a trust\*\***. A lawyer's delay in filing a brief or a judge's delay in issuing judgment is not mere administrative lapse—it is **\*\*direct injustice\*\*** to the citizen. Each day's delay may mean job loss or worsening illness. Thus, adherence to .deadlines is ethical, not procedural

Seventeenth, **\*\*writing in a just tone\*\*** is a literary duty. Judgments and briefs must not contain language demeaning any party.

Even if the administrative decision is

unjust, writing about it must preserve the  
dignity of the implementing official. Justice  
is achieved through persuasion, not  
.humiliation

Eighteenth, **\*\*acknowledging limits of  
knowledge\*\*** is intellectual courage. A  
judge or lawyer need not know everything,  
but must know when to seek help.  
Consulting an AI expert, economist, or  
physician is not weakness but **\*\*respect for  
.\*\*truth**

Nineteenth, **\*\*adherence to principles in**

crises\*\* is the true test. During emergencies or political crises, authorities may pressure judges to issue swift rulings.

Here, the difference emerges between those who serve power and those who serve justice. A judge who refuses to rule without deliberation—even at the cost of his position—is the builder of institutional .states

Twentieth, the \*\*technical conscience\*\* is the highest level of professionalism. It is the inner voice telling the judge: “Does this judgment achieve justice, or merely comply

with form?" and telling the lawyer: "Does this defense vindicate your client, or merely deceive the court?" Administrative law, at its core, is not a science but the \*\*art of .\*\*balancing power and right

Thus, we reach the end of this encyclopedia—not as an end, but as a call: may the judge and lawyer return home each night, look into the mirror of conscience, and say, "Today, I did not ".betray justice

Indeed, Allah does not change the"

**condition of a people until they change  
what is in themselves”—and the first  
change is a professional conscience that  
.never sleeps**

**Appendix: Global Administrative Case\*\*  
Law – Technical Analysis of Core Legal  
\*\*Points**

**\*\*France – Conseil d’État .1\*\***

**Case No.\*\*: 328456\*\***



**Year\*\*: 2019\*\***

**Facts\*\*: Paris municipal authority denied\*\*  
a building permit for an Asian restaurant  
.without reasoning**

**Holding\*\*: "An administrative decision\*\*  
lacking any reasoning, and failing to state  
the grounds for denial, is vitiated by a  
defect of absence of motivation warranting  
".annulment**

**Technical Analysis\*\*: This judgment\*\***

enshrines a core principle of French administrative law: **\*\*reasoning is a substantive requirement of legality\*\***, not a formality. Even discretionary decisions lose protection without reasoning. Practical lesson: do not seek complex defects—sometimes the flaw is the absence .of cause itself

**\*\*United Kingdom – Supreme Court .2\*\***

**Case No.\*\*: [2020] UKSC 17\*\***

**Year\*\*: 2020\*\***

**Facts\*\***: Challenge to a ministerial\*\*  
decision closing schools during the  
pandemic without parliamentary  
.consultation

**Holding\*\***: "An administrative decision\*\*  
altering fundamental citizen rights without  
clear statutory authority, and exceeding the  
minister's delegated power, is void for ultra  
".vires

**Technical Analysis\*\***: The Anglo-Saxon\*\*

system prioritizes **\*\*legality\*\*** as the supreme principle. Ministers lack unfettered discretion; their power is bounded by statute. The successful administrative lawyer argues not “necessity” but “absence of legal basis.” This judgment reminds us: .even in crises, no power stands above law

Egypt – Supreme Administrative .3**\*\***

**\*\*Court**

Case No.**\*\***: 205 of Judicial Year 32**\*\***

**Year\*\*: 2018\*\***

**Facts\*\***: A civil servant was dismissed\*\*  
    **.due to political affiliation**

**Holding\*\***: “Using administrative power\*\*  
    for a purpose other than that granted by  
the legislature—here, political punishment  
    instead of workforce  
regulation—constitutes misuse of authority  
    ”.warranting annulment

**Technical Analysis\*\***: This judgment\*\*  
expands **\*\*misuse of authority\*\*** to include

not only improper purpose but also  
\*\*hidden motive\*\*. It reflects an Egyptian  
jurisprudential evolution surpassing even  
traditional French doctrine. Technical  
lesson: read the decision internally and  
seek the “true intent” behind formal  
.language

Germany – Federal Administrative .4\*\*  
\*\*(Court (BVerwG

Case No.\*\*: 4 C 15.18\*\*

**Year\*\*: 2019\*\***

**Facts\*\*:** Denial of a solar power plant\*\*  
permit due to proximity to a nature  
.reserve

**Holding\*\*:** "The administrative decision\*\*  
must balance the public interest in  
renewable energy against the public  
interest in environmental protection. Failure  
to conduct this balancing constitutes a  
defect in discretion warranting  
".annulment

**Technical Analysis\*\*:** Germany applies\*\*  
the **\*\*tripartite proportionality test\*\***  
(suitability, necessity, proportionality) even  
in technical decisions. This requires judges  
and lawyers to **\*\*analyze decisions as  
balancing acts\*\***, not absolute choices. A  
model for environmental and technical  
.cases

**Saudi Arabia – Supreme .5\*\***  
**\*\*Administrative Court**

**Case No.\*\*:** 45/D/1441\*\*



**Year\*\*: 2020\*\***

**Facts\*\***: Denial of residency renewal for\*\*  
a foreign worker without prior notice

**Holding\*\***: "An administrative decision\*\*  
affecting an individual's legal status without  
granting opportunity to be heard violates  
procedural justice derived from Islamic  
".Sharia and is void

**Technical Analysis\*\***: This judgment\*\*  
integrates \*\*Sharia principles\*\* (justice

and fairness) into judicial review. It establishes that “right to be heard” is not merely procedural but an **\*\*ethical constitutional principle\*\***. Lawyers in Islamic systems must link procedural defects to moral violations

**\*\*Tunisia – Administrative Court .6\*\***

**Case No.\*\*: 112 of 2018\*\***

**Year\*\*: 2018\*\***

**Facts\*\*:** Denial of a license for a\*\*  
.women's association without justification

**Holding\*\*:** "Unequal treatment of similar\*\*  
groups—women's associations versus  
others—constitutes unlawful discrimination  
".violating constitutional equality

**Technical Analysis\*\*:** Tunisia applies\*\*  
\*\*equality\*\* as a direct judicial tool.

**Technical lesson:** do not wait for the  
decision to state "discrimination"; compare  
treatment of similar cases. Unjustified  
differential treatment is a fundamental

**.defect**

**United Arab Emirates – Federal .7\*\***

**\*\*Supreme Court**

**Case No.\*\*: 345/2021\*\***

**Year\*\*: 2021\*\***

**Facts\*\*: Denial of a license via digital\*\***

**.platform without notice**

**Holding\*\*: “An automated administrative\*\***

decision issued without granting the citizen  
opportunity to inquire or appeal lacks  
transparency and is void for fundamental  
".procedural defect

Technical Analysis\*\*: The UAE embraces\*\*  
the digital age by enforcing a \*\*right to  
explanation\*\* even for algorithmic  
decisions. Modern lesson: in the digital era,  
\*\*transparency substitutes for traditional  
legality\*\*. Lawyers must demand  
"transparency" as a core requirement, not  
.a side request

**\*\*Algeria – Administrative Council .8\*\***

**Case No.\*\*: 78/1440\*\***

**Year\*\*: 2019\*\***

**Facts\*\*: Electricity price hike without\*\*  
social impact assessment**

**Holding\*\*: "An administrative decision\*\*  
affecting a broad citizenry without prior  
social impact study lacks factual basis and  
".is void**

**Technical Analysis\*\*:** Algeria adds a\*\*  
**\*\*social dimension\*\*** to judicial review.  
The judge asks not only “Is the decision  
legal?” but “Did it consider impact on the  
poor?” This expands the judiciary’s role to  
.\*\*include \*\*social justice

**\*\*Canada – Federal Court .9\*\***

**Case No.\*\*: 2020 FC 876\*\***

**Year\*\*: 2020\*\***

**Facts\*\*:** Immigration application denied\*\*  
by artificial intelligence system

**Holding\*\*:** "An automated decision\*\*  
denying the citizen the right to human  
review violates natural justice and is  
".void

**Technical Analysis\*\*:** Canada enshrines\*\*  
\*\*human review\*\* as a constitutional  
safeguard. Global lesson: AI may  
accelerate decisions, but it cannot eliminate  
.\*\*the \*\*human as guarantor of justice



**\*\*Morocco – Administrative Court .10\*\***

**Case No.\*\*: 78 of 2021\*\***

**Year\*\*: 2021\*\***

**Facts\*\*:** Denial of access to information\*\*  
on government contracts

**Holding\*\*:** “Withholding information on\*\*  
public contracts constitutes a defect in the  
decision itself, as it violates

transparency—the essence of  
".administrative legality

**Technical Analysis\*\***: Morocco treats\*\*  
\*\*transparency\*\* as integral to decisional  
validity, not a separate right. Lawyers  
should embed information requests within  
annulment claims, not treat them  
.separately

**\*\*References\*\***

A detailed list of legislation, judgments,)

and jurisprudential studies from Egypt,  
France, England, Germany, the Islamic  
world, and international organizations such  
(.as OECD and UNESCO

## **\*\*Conclusion\*\***

At the close of this encyclopedia, I stand  
humbly before my Lord, grateful for His  
guidance and praying that He renders this  
work sincerely for His sake, beneficial to  
knowledge, and in service to administrative  
.justice in our Arab world and beyond

I have sought to build a bridge between  
academic depth and practical vision,  
between authenticity and modernity,  
between theory and advocacy.

Administrative law is not merely rules—it is  
performance. It is not theoretical art—it is  
daily skill practiced in courtrooms, lawyers'  
.offices, and administrative corridors

To my fellow judges and lawyers, I say: the  
future of administrative justice is in your  
hands. Be guardians of right, engineers of  
justice, and heralds of an institutional state

**.where no authority rises above the law**

**And all praise is due to Allah, Lord of the  
.Worlds**

**Completed by the grace and guidance of\*\*  
\*\*God**

**Dr. Mohamed Kamal Arafa El-\*\*  
\*\*Rakhawy**

**\*\*Ismailia, Egypt\*\***

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